

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 24306 of 2007(R)

PETITIONER:

ILLIKKAL ANTHRU, ILLIKKAL HOUSE,
P.O.KUTHUPARAMBA, KANNUR DISTRICT.

BY ADV. SRI.P.M.PAREETH

RESPONDENTS:

1. KUTHUPARAMBA MUNICIPALITY,
REPRESENTED BY ITS SECRETARY, MUNICIPAL OFFICE,
P.O.KUTHUPARAMBA, KANNUR DISTRICT.
2. SECRETARY, KUTHUPARAMBA MUNICIPALITY,
MUNICIPAL OFFICE, P.O.KUTHUPARAMBA,
KANNUR DISTRICT.
3. T.V.SAHADEVAN, S/O KUNHIRAMAN,
HO.NO.3/130, EDAKKAD PANCHAYATH,
CHALA P.O., KANNUR DISTRICT.

R1 & R2 BY ADV. SRI.P.V.SURENDRANATH
SRI.P.V.DIPU

R3 BY ADV. SRI.P.P.RAMACHANDRAN
SRI.JAYANANDAN MADAYI PUTHIYAVEETIL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 18/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX(WPC 24306/07)

PETITIONER'S EXTS.:

EXT.P1: TRUE COPY OF THE REGISTERED LEASE DEED NO.1321/72 DATED 7.9.1972 EXECUTED BY THE LATE MOIDU HAJI AND THE THIRD RESPONDENT.

EXT.P2: TRUE COPY OF THE NOTICE DATED 9.3.07 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.

EXT.P3: TRUE COPY OF THE LETTER DATED 19.3.07 ISSUED BY THE PETITIONER TO THE SECOND RESPONDENT.

EXT.P4: TRUE COPY OF THE ACKNOWLEDGEMENT NO.696/07 ISSUED BY THE SECOND RESPONDENT DATED 19.3.2007.

PIUS C. KURIAKOSE,J.

W.P.(C) No.24306 of 2007

Dated: 18th September, 2007

JUDGMENT

The grievance of the petitioner highlighted at the Bar by Mr.P.M.Pareeth, counsel for the petitioner is that the Municipality has not passed orders on Ext.P1 application. Mr.P.V.Surendranath, counsel for the Municipality submits that if any application submitted by the petitioner is pending and if the application is found to be in order, the Municipality will not have any difficulty in considering the application and issuing copies of the assessment register provided necessary charges are paid by the petitioner. Under these circumstances, I dispose of the Writ Petition issuing the following directions:

If Ext.P1 application submitted by the petitioner is pending before the 1st respondent-Municipality, the 2nd respondent will take up that application and pass orders facilitating obtainment of copies by the petitioner. If the 2nd respondent feels that there are defects in the application, the 2nd respondent will issue appropriate directions to the petitioner for curing the defects and once defects are cured the application will be processed and orders issued. If no application is pending before the Municipality, the petitioner will file fresh

application immediately and if the fresh application is found to be in order, the Municipality will consider the same and facilitate obtainment of copies by the petitioner in accordance with law. It is open to the petitioner to seek appropriate further reliefs from the Municipality after obtainment of certified copies of the Assessment Register.

srd

PIUS C.KURIAKOSE, JUDGE